

# Ohio House of Representatives



October 18, 2019

Dear Mr. Barrouquere,

On behalf of the Ohio House of Representatives, I am responding to your October 14, 2019 public records request to the office of Rep. Reggie Stoltzfus for the following records dated from “January 15, 2019 to the present:”

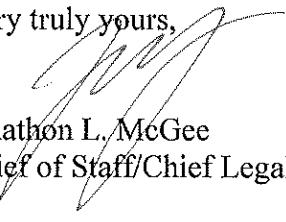
“Any and all emails, memos, correspondence and text [sic] between State Rep. Reggie Stoltzfus and Citizens for Community Values and/or the group's president, Aaron Baer, the Family Research Council and/or the group's president Tony Perkins, The National Association of Christian Lawmakers (may also be called the National Association of Christian Legislators) and/or the founder of the group, Arkansas State Sen. Jason Raepert [sic], and the Council for National Policy and/or the group's president Bob McEwen.”

The portions of your request dealing with “Aaron Baer,” “Tony Perkins,” “Arkansas State Sen. Senator Jason Raepert [sic],” and “Bob McEwen” were processed. Rep. Stoltzfus’s office searched for responsive records regarding Aaron Baer for the full time scope of your request, January 15 through October 14, 2019. As for the other individuals, the search covered only September 23 through October 14, 2019 because you already received any previously existing records in response to your September 23, 2019 public records request and are not entitled to a duplicate production of records. *State ex rel. Laborers Internatil. Union of N. Am., Local Union No. 500 v. Summerville*, 122 Ohio St.3d 1234, 2009-Ohio-4090, ¶ 6. The search covered those records in existence through October 14, 2019, because unless a previous date is specified, the date of the receipt of your request must serve as the end-date for a request; a public records request must be for records that actually exist at the time the request was made. *State ex rel. Scanlon v. Deters* (1989), 45 Ohio St.3d 376, 378-379, 544 N.E.2d 680, 683. After conducting a search, Rep. Stoltzfus’s office determined they have no records responsive to your request.

The remainder of your request dealing with all communications with particular organizations is denied as overly broad and ambiguous. The request is ambiguous because it lacks the necessary clarity to determine what records are responsive to the request. See, e.g., *State ex rel. Samara v. Byrd*, 8th Dist. Cuyahoga No. 103621, 2016-Ohio-5518. Our office does not keep a list of individuals associated with the various listed organizations, nor does it organize its communications records by the organizations from which they were received or to which they were directed. “[I]t is the responsibility of the person who wishes to inspect and/or copy records to identify with reasonable clarity the records at issue.” *State ex rel. Zidonis v. Columbus State Community College*, 133 Ohio St.3d 122, 2012-Ohio-4228, 976 N.E.2d 861, ¶ 21. Generally, records of the Ohio House are organized by topic and/or bill number. A copy of the Ohio House Retention Schedule is attached for clarification.

In the event you would like to revise your request to meet these criteria and assist in our understanding of the records you seek, you may do so and our office will process it in accordance with Ohio law. This concludes our response to your request.

Very truly yours,

  
Jonathon L. McGee  
Chief of Staff/Chief Legal Counsel

Attachments: Ohio House Retention Schedule

Cc: Rep. Stoltzfus